

Message Text

LIMITED OFFICIAL USE

PAGE 01 TEHRAN 05171 311232Z
ACTION EB-08

INFO OCT-01 NEA-11 ISO-00 CAB-02 CIAE-00 COME-00
DODE-00 DOTE-00 INR-10 NSAE-00 FAA-00 L-03 SS-15
NSC-05 EUR-12 /067 W
-----020926 311737Z /40

R 311133Z MAY 78
FM AMEMBASSY TEHRAN
TO SECSTATE WASHDC 8631
INFO AMEMBASSY ROME
AMEMBASSY NEW DELHI

LIMITED OFFICIAL USE TEHRAN 5171

E.O. 11652: N/A
TAGS: EAIR, IR
SUBJ: CIVAIR PAN AM ACCESS TO BOMBAY

REF: A. TEHRAN 4691, B. STATE 128039

1. AFTER SEVEN WEEK ABSENCE TO ATTEND LAW OF THE SEA
CONFERENCE, IRAN MIINISTRY OF FOREIGN AFFAIRS LEGAL DIRECTOR
DR. KAZEMI RETURNED TO IRAN ON MAY 23. DCM AND CIVAIR
ATTACHE CALLED ON HIM MAY 28, AFTER BRIEFING HIM ON
TELEPHONE AND FORWARDING TO HIM DIPLOMATIC NOTE NO. 332
OF MAY 25 WHICH STATED THE FOLLOWING: BEGIN QUOTE: THE
EMBASSY OF THE UNITED STATES OF AMERICA PRESENTS ITS
COMPLIMENTS TO THE IMPERIAL IRANIAN MINISTRY OF FOREIGN
AFFAIRS AND HAS THE HONOR TO REFER TO THE MINISTRY'S NOTE
NO. 1115/18 DATED 4/19/78, IN WHICH IT WAS STATED THAT
THE IRANIAN CIVIL AVIATION AUTHORITIES DISAGREE IN
PRINCIPLE TO THE DELETION OF THE POINT OF CALCUTTA
FROM THE AIR AGREEMENT APPENDIX NO. 1. TABLE AND ITS
REPLACEMENT WITH BOMBAY BUT AGREE TO INCLUDE THE MATTER
IN THE FUTURE DISCUSSION TO BE HELD ON THE BASIS OF THE
AIR AGREEMENT ARTICLE 12 DEALING WITH CAPACITIES.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 TEHRAN 05171 311232Z

PARAGRAPH. ARTICLE 12 (B) OF THE AIR TRANSPORT AGREE-
MENT PROVIDES THAT: "MODIFICATIONS TO THE ROUTE SCHEDULE
SHALL BE AGREED BETWEEN APPROPRIATE AUTHORITIES OF THE
CONTRACTING PARTIES AND SHALL COME INTO FORCE AFTER AN
EXCHANGE OF DIPLOMATIC NOTES." WE VIEW THE SUBSTITUTION
OF BOMBAY FOR CALCUTTA AS ESSENTIALLY A TECHNICAL CHANGE
UNDER THE BILATERAL AGREEMENT WHICH PERMITS U.S. DESIGNATED

AIRLINES TO SERVE TWO POINTS IN INDIA FROM TEHRAN. FOR SEVERAL YEARS THE U.S. CARRIER HAS NOT USED CALCUTTA AND THUS, THE CHANGE TO BOMBAY IS WITHIN THE AGREEMENT THAT TWO POINTS MAY BE SERVED. THE MINISTRY IS UNDOUBTEDLY AWARE THAT ANOTHER U.S. CARRIER NO LONGER SERVES BOMBAY. PARAGRAPH. THE MINISTRY WILL RECALL THAT CONSULTATIONS BETWEEN OUR RESPECTIVE CIVIL AVIATION AUTHORITIES TO BE HELD IN MARCH 1978 WERE CANCELLED BY THE IRANIAN SIDE AND ARE NOW TENTATIVELY SCHEDULED FOR LATER THIS YEAR. SINCE THE AMERICAN AIR CARRIER WISHES TO COMMENCE SERVICE TO BOMBAY BY JULY 1, WE WOULD SUBMIT THAT THIS SERVICE TAKE PLACE AS PLANNED. IF THE GOVERNMENT OF IRAN WISHES TO REVIEW THIS SERVICE TO BOMBAY, THEN THE ISSUE CAN BE REVIEWED LATER THIS YEAR IN THE CONSULTATIONS UNDER ARTICLE 12 (A). END QUOTE.

2. AT OUTSET OF OUR CONVERSATION, DR. KAZEMI STATED THAT USE OF WORD QUOTE CONSULTATIONS UNQUOTE IN PARAGRAPH THREE OF NOTE WAS IMPROPER IN VIEW OF SPECIAL MEANING OF WORD IN CIVIL MATTERS AND THAT QUOTE TALKS UNQUOTE WAS MORE APPROPRIATE. WE PROMPTLY AGREED. HE THEN STATED THAT MANY CHANGES IN THE AIRLINE INDUSTRY SINCE THE SIGNING OF THE 1973 BILATERAL AGREEMENTS AND IT WAS TIME A NEW AGREEMENT SHOULD BE MADE. IF THE PAN AM REQUEST WERE SIMPLY A MATTER OF SUBSTITUTING MADRAS FOR CALCUTTA THERE WOULD BE NO COMPLAINTS. LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 TEHRAN 05171 311232Z

BOMBAY, HOWEVER, IS ALREADY SERVED BY IRAN AIR AND THIS IS A MAJOR SHIFT-NOT JUST A TECHNICAL CHANGE- WHICH SHOULD BE CONSIDERED IN AN OVERALL NEW AGREEMENT. (EMBASSY COMMENT: WE NOTE ARTICLE 8, ENTITLED "CAPACITY REGULATIONS" OF THE AIR TRANSPORT AGREEMENT, ITEM B STATED "IN OPERATING THIS SERVICE, THE DESIGNATED AIRLINES OR AIRLINE OF EACH CONTRACTING PARTY SHALL TAKE INTO ACCOUNT THE AIRLINE INTERESTS OF THE OTHER CONTRACTING PARTY SO AS NOT TO AFFECT UNDULY THE SERVICES WHICH THE LATTER PROVIDES ON THE WHOLE OR PART OF THE SAME ROUTES".

3. DR. KAZEMI THEN STRESSED THAT POINT 3 SUBHEADING OF THE ROUTE SCHEDULE ANNEX TO THE AIR TRANSPORT AGREEMENT STATES, "ONLY ONE POINT MAY BE SERVED IN COUNTRIES OTHER THAN THE FEDERAL REPUBLIC OF GERMANY, SWITZERLAND, TURKEY, INDIA(ONLY CALCUTTA AND NEW DELHI MAY BE SERVED), MAINLAND CHINA, AUSTRALIA, AND JAPAN (TRAFFIC RIGHTS MAY BE EXERCISED BETWEEN IRAN AND JAPAN AT ONLY ONE JAPANESE POINT PRIOR TO MARCH 1, 1978)." HE REMARKED THAT, WHEN THE AGREEMENT WAS SIGNED, IRAN AIR WAS ALREADY SERVICING BOMBAY AND THAT WAS THE REASON FOR THE EXCLUSION OF BOMBAY.

4. IN RESPONSE TO OUR QUESTION AS TO WHETHER PAN AM COULD INITIATE THE FLIGHT TO BOMBAY ON JULY 1 WITH THE CAVEAT THAT THIS FLIGHT WOULD BE REVIEWED IN THE CONSULTATIONS LATER THIS YEAR, DR. KAZEMI STATED HE DID NOT BELIEVE IRAN AIR WOULD ACCEPT THIS SOLUTION. HE SUGGESTED INSTEAD THAT PAN AM AIRLINES APPROACH IRAN AIR DIRECTLY WITH THIS PROPOSITION SINCE IRAN AIR REALLY HAS THE DECISIVE VOICE ON THE IRANIAN SIDE.

5. (SUBSEQUENT TO THIS MEETING, PAN AM REP AGREED TO THIS SUGGESTION AND WILL TRY TO WORK OUT SOLUTION WITH IRAN AIR. WE WILL KEEP DEPARTMENT INFORMED.)

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 04 TEHRAN 05171 311232Z

6. DR KAZEMI REITERATED HIS DESIRE THAT THE CONSULTATIONS SHOULD TAKE PLACE THIS YEAR SUGGESTING NOVEMBER AS A MOST SUITABLE TIME.
SULLIVAN

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CIVIL AVIATION, DIPLOMATIC NOTES, AVIATION AGREEMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 31 may 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978TEHRAN05171
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780227-0932
Format: TEL
From: TEHRAN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t1978051/aaaaaane.tel
Line Count: 140
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: ff53be92-c288-dd11-92da-001cc4696bcc
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 TEHRAN 4691, 78 STATE 128039
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2503908
Secure: OPEN
Status: NATIVE
Subject: CIVAIR PAN AM ACCESS TO BOMBAY
TAGS: EAIR, IR, US, PANAM
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/ff53be92-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014